



Posted: 11/17/10 NF

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**DEPARTMENT OF STATE**

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DIVISION OF PROFESSIONAL REGULATION

<b>PUBLIC MEETING NOTICE:</b>	<b>BOARD OF PHARMACY</b>
<b>DATE AND TIME:</b>	<b>Wednesday, October 20, 2010 at 9:30 a.m.</b>
<b>PLACE:</b>	Conference Room A, Cannon Building 861 Silver Lake Blvd., Dover, DE 19904
<b>APPROVED:</b>	November 17, 2010

**MEMBERS PRESENT**

Sebastian Hamilton, R.Ph, Professional Member, President  
Howard Simon, R.Ph, Professional Member, Vice President  
Sandra Robinson, R.Ph, Professional Member  
Geoffrey N. Christ, Esq., R.Ph, Professional Member  
Joli Martini, R.Ph, Professional Member

**MEMBERS ABSENT**

Carolyn Calio, Public Member  
David Bonar, Public Member  
Don Holst, R.Ph, Professional Member  
David W. Dryden, R.Ph., J.D., Executive Secretary

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Allison Reardon, Deputy Attorney General  
Nancy Fields, Administrative Specialist II

**ALSO PRESENT**

Ken Grossett  
Trent Beach  
Jyothi Parne  
Neil Bavitz  
Cheryl Heiks  
John Casalino  
Tiffany Sorey  
Adjoa Maru

**CALL TO ORDER**

Mr. Hamilton called the meeting to order at 9:38 a.m.

**REVIEW OF MINUTES**

A motion was made by Mr. Simon, seconded by Mr. Holst, to approve the September 15, 2010 minutes as amended. The motion unanimously carried.

## **PRESIDENT'S REPORT**

Mr. Hamilton stated that he went to Washington, D.C. on September 21, 2010 and accepted an award on behalf of the Delaware Board of Pharmacy. Delaware placed forth in the nation for its e-prescribing program.

Mr. Hamilton, Mr. Simon, Mr. Holst, and Mr. Dryden will attend the District II meeting on October 29, 2010.

## **UNFINISHED BUSINESS**

### **Legitimate Medical Purpose – Internet Pharmacy Proposal**

No report

### **Drug Disposal and Distribution Review**

No report

### **Regulation 14 Review - Administration of Injectable Medications**

This was tabled until the following meeting.

### **Prescription Monitoring Program Update**

This was tabled until the following meeting.

### **Regulation 7 Review**

Ms. Robinson advised that a Committee meeting is scheduled for October 28, 2010 at Governor Bacon Health Center.

### **State of Emergency Issue Update**

No report.

### **Regulation 5 Disposal Issue Review**

Ms. Reardon's review is still pending.

### **Request to Lift Suspension – Michael Louie**

After review of documentation and discussion, a motion was made by Mr. Christ, seconded by Mr. Simon, to lift the suspension and flag for next audit. The motion unanimously carried.

Ms. Reardon will prepare a short Decision & Order.

### **Request to Lift Suspension – Kwasi Boateng**

After review of documentation and discussion, a motion was made by Mr. Christ, seconded by Mr. Simon, to lift the suspension and flag for the next audit. The motion unanimously carried.

Ms. Reardon will prepare a short Decision & Order for the Board to sign next meeting.

## **NEW BUSINESS**

### **Pharmacist-In-Charge (PIC) and Consultant Interviews**

Mr. Simon conducted the PIC interviews for Jyothi Parne and Neil Bavitz. Mr. Delpino was not in attendance. There were no consultant interviews.

### **Pharmacist Licensure Ratifications**

A motion was made by Ms. Robinson, seconded by Ms. Martini, to ratify the following Pharmacist licenses issued by the Division of Professional Regulation for: Vikas Verma, Pamela Eckenrode, Lindsey Gordon, Sima Patel, Takyiah Stevenson, Kenneth Snodgrass, Adam Singh, Frank Souza, Hossam Messiha, Jin Kim, Ariel DeLeon, Melinda M. Selmer, and Marjunath Krishnappa.

The motion unanimously carried.

### **Pharmacist Application Reviews**

The Board reviewed and discussed the application of Maryam Maghoodnia, who had a previous discipline in another state regarding continuing education.

A motion was made by Mr. Christ, seconded by Mr. Simon, to approve her for licensure after completing all requirements and flag her for next audit. The motion unanimously carried.

### **Pinnacle Interim Supply List Review**

This was tabled for the following meeting.

### **Interim Box Review for Foulk North, Foulk South, Shipley, Milcroft and Forwood**

A motion was made by Ms. Robinson, seconded by Mr. Christ, to return it to them for an explanation to have them review their list again and to advise to try to get it down some and then the Board would re-review it. Ms. Martini abstained. The motion carried.

### **Consent Agreement Review & Signing**

A motion was made by Mr. Christ, seconded by Ms. Robinson, to accept the Consent Agreement for Anthony Franzosa III. The motion unanimously carried.

A motion was made by Mr. Simon, seconded by Mr. Christ, to accept the Consent Agreement for Kathleen McGuiness. The motion unanimously carried.

A motion was made by Ms. Robinson, seconded by Ms. Martini, to accept the order for Daniel Chelen. Mr. Christ abstained. The motion carried.

### **Sign Decision and Orders**

The Board reviewed and signed the Orders for Ken Grossett and Jeremy Kashuba and Renaissance Pharmacy.

A motion was made by Mr. Christ, seconded by Ms. Robinson, to move to agenda item for hearing. The motion unanimously carried.

#### PTD Hearing – 10:30 AM – Owens and Minor Distribution

Ms. Reardon stated the purpose of the hearing was to allow Owens & Minor Distribution to prove that it meets the qualifications for licensure after the Board proposed to deny it licensure for having been previously disciplined in other states. The Board was introduced. The Board and Applicant exhibits were entered into evidence.

Mr. Connelly, attorney for Owens & Minor had opening statements. Charles Barr, Senior Council Regulatory, was called to the stand to testify. He testified that Owens & Minor primarily sell supplies to hospitals and only have 10% drugs, none of which are controlled substances. The company has over 200 licenses around the country and none have ever been denied, suspended or revoked. The Board members asked questions.

A motion was made by Mr. Christ, seconded by Mr. Hamilton to go off the record for deliberations.

After deliberations, a motion was made by Mr. Christ, seconded by Ms. Robinson, to go back on the record.

A motion was made by Mr. Christ, seconded by Ms. Martini, to accept the application based on the companies transparency measures that they employ and its integrity. The motion unanimously carried.

#### Committee Reports

**Joint Practice Committee – Don Holst and Howard Simon –** No report.

**Physician's Assistant Report – Sebastian Hamilton, R.Ph:** No report.

**Newsletter – Sandy Robinson, R. Ph., David Dryden, R.Ph., J.D, and Joli Martini, R. Ph.:** No report.

**Legislative – Sandy Robinson, R.Ph, Howard Simon, R.Ph, Sebastian Hamilton, R.Ph, Don Holst, R.Ph, Geoffrey Christ, R.Ph., Esq., and David Dryden, R.Ph., J.D.:** No report.

**Continuing Education – Sandy Robinson, R. Ph., Geoffrey Christ, R.Ph., Esq., and Joli Martini, R. Ph.:** No report.

**Consumer Affairs – Carolyn Calio, and David Bonar:** No report.

**Professional Liaison – Sandra Robinson, R.Ph. and Joli Martini, R.Ph:** Ms. Robinson stated that she attended the Delaware Society of Health-System Pharmacists (DSHP) Fall Clinical Meeting at Michele's Restaurant on October 7, 2010. She also attended the Delaware Pharmacists Society (DPS) Board meeting on September 21, 2010 at the Levin Center in Smyrna. There were two points of interest from that meeting - the hall is available for rent for events and there are openings for new Board members now and the general membership meeting is January 19, 2011.

**MPJE Study Committee – Don Holst, R.Ph, Sebastian Hamilton, R.Ph, and David Dryden:** No report.

**Controlled Substance Liaisons – Geoffrey Christ, Howard Simon, and Dave Dryden:** Mr. Simon reported that the controlled substance committee is scheduled to meet on December 1, 2010 at Buena Vista.

**Substantially Related Crimes Committee - Geoffrey Christ, Howard Simon, Allison Reardon, and Dave Dryden:** No report.

### **Board Correspondence**

There was no correspondence.

### **Inspection Report**

Mr. Dryden submitted a report for the Board which included an email to Mr. Emmel from Mr. Dryden regarding that a license is required when offering online Medication Therapy Management services.

Mr. Dryden also submitted an inspection report taken from Westminster Dover, Cokesbury Village, Gilpin Hall, and Methodist Country House on October 7, 2010.

### **Other Business before the Board**

There was no other business.

### **Public Comments**

Ms. Tiffany Sorey, a pharmacist from Target, gave a special thank you to David Dryden for the recent inspection of a new Target pharmacy. She also expressed her concern with pharmacists having adequate support time during the upcoming immunization season.

Mr. Christ suggested that pharmaceutical companies can make it easier for pharmacist's time constraints by getting more help during the flu season.

Ms. Robinson suggested that concerns should go to Mr. Holst for the Regulation 14 committee to review.

### **Next Scheduled Meeting**

The next meeting is scheduled for November 17, 2010.

### **Adjournment**

A motion was made by Mr. Christ, seconded by Mr. Simon, to adjourn the meeting. The motion unanimously carried. The meeting was adjourned at 11:30 p.m.

Respectfully submitted,



Nancy Fields  
Administrative Specialist II